

## **APPENDIX A**

### **COORDINATION/CORRESPONDENCE**

Mailing List for Cowskin Creek Local Flood Protection Project Draft EA

Senator Sam Brownback  
225 North Market St.  
Suite 120  
Wichita, KS 67202

Senator Pat Roberts  
155 North Market St.  
Suite 120  
Wichita, KS 67202

Congressman Todd Tiahrt  
155 North Market St.  
Suite 400  
Wichita, KS 67202

Senator Les Donovan  
Kansas Senate  
Room 120-S  
State Capitol Building  
Topeka, KS 66612

Senator Nancey Harrington  
Kansas Senate  
Room 143-N  
State Capitol Building  
Topeka, KS 66612

Representative Joe McLeland  
Kansas House of Representatives  
Room 182-W  
State Capitol Building  
Topeka, KS 66612

Representative Dale Swenson  
Kansas House of Representatives  
Room 556-N  
State Capitol Building  
Topeka, KS 66612

Representative Daniel Thimesch  
Kansas House of Representatives  
Room 278-W  
State Capitol Building  
Topeka, KS 66612

Mr. William Gill  
U.S. Fish and Wildlife Service  
Kansas State Office  
315 Houston, Suite E  
Manhattan, KS 66502-6172

Mr. J. Michael Hayden  
Secretary  
Kansas Department of Wildlife and Parks  
900 SW Jackson St., Suite 502  
Topeka, KS 66612

Mr. James B. Gulliford  
Regional Administrator, Region 7  
U.S. Environmental Protection Agency  
901 N. 5<sup>th</sup> Street  
Kansas City, KS 66101

Mr. Harold L. Klaege  
State Conservationist  
USDA Natural Resource Conservation Service  
760 South Broadway  
Salina, KS 67401-4642

Mr. Clyde D. Graeber  
Secretary  
Kansas Department of Health and Environment  
1000 SW Jackson  
Topeka, KS 66612

Mr. John Wine  
Chairman  
Kansas Corporation Commission  
1500 SW Arrowhead Road  
Topeka, KS 66604-2425

Mr. David L. Pope  
Chief Engineer  
Kansas Department of Agriculture  
Division of Water Resources  
109 SW 9<sup>th</sup> Street, 2<sup>nd</sup> Floor  
Topeka, KS 66612-1283

Mr. Dennis Carlson  
District Forester  
Kansas Forest Service  
9 West 28<sup>th</sup> Suite B  
Hutchison, KS 67502-3453

Mr. Al LeDoux  
Director  
Kansas Water Office  
901 S. Kansas Avenue  
Topeka, KS 66612

Mr. Paul M. Liechti  
Kansas Biological Survey  
2041 Constant Avenue  
Lawrence, KS 66047

Ms. Tracy Streeter  
Executive Director  
Kansas State Conservation Commission  
109 SW 9<sup>th</sup> Street, Suite 500, Mills Bldg.  
Topeka, KS 66615-1099

Ms. Mary R. Allman  
State Historic Preservation Officer  
Historic Preservation Office  
Kansas State Historical Society  
6425 SW 6<sup>th</sup> Avenue  
Topeka, KS 66615-1099

Mr. Gary McAdams  
Wichita and Affiliated Tribes of Oklahoma  
P. O. Box 729  
Anadarko, OK 73005

Commissioner Tom Winters, District 3  
Sedgwick County Board of Commissioners  
525 North Main St.  
Suite 320  
Wichita, KS 67203

Chair Carolyn McGinn, District 4  
Sedgwick County Board of Commissioners  
525 North Main St.  
Suite 320  
Wichita, KS 67023

Mr. Bob Lamkey  
Director of Public Safety  
Sedgwick County Emergency Management  
525 N. Main St.  
Wichita, KS 67203

Mr. David C. Spears, P.E.  
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Sedgwick County Public Works  
1144 S. Seneca  
Wichita, KS 67213

Ms. Irene Hart  
Director of Community Development  
Sedgwick County Environmental Resources  
2625 S. Tyler St.  
Wichita, KS 67215

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Acting City Manager  
City Hall, 13<sup>th</sup> Floor  
455 North Main Street  
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Mr. Glen Myers  
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Wichita, KS 67211

Ms. Ann Cotter  
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Wichita, KS 67209

Mr. Greg Neville  
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Andale, KS 67001

Mr. Wilt Dodd  
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Wichita, KS 67209

Mr. Gary Long  
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Goddard, KS 67052

Ms. Jane Owens  
646 Wetmore  
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Mr. Vic Manke  
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11402 W. Lost Creek  
Wichita, KS 67212

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210 N. Rainbow Lake Rd.  
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4643 N. 167 West  
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206 N. Rainbow Lake  
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Mr. Herman Neeley  
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Wichita, KS 67235

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Wichita, KS 67207

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312 Wagon Wheel  
Wichita, KS 67209

Mr. Erik Merkel  
360 Wagon Wheel  
Wichita, KS 67209

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Wichita, KS 67209

Mr. John Hastings  
506 Wetmore  
Wichita, KS 67209

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11103 W. Jewell St.  
Wichita, KS 67209

Mr. David McCall  
1629 Old Wick Rd  
Wichita, KS 67235

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Wichita, KS 67209

Mr. Roger Schmidt  
10900 Hidden Lake Rd.  
Wichita, KS 67209

Mr. Dave Almes  
1358 Hickory Creek Ct  
Wichita, KS 67235

Mr. Jim Brooks  
1821 Marksdales Ave  
Goddard, KS 67052

Mr. Alan Whetzel  
2401 N. 135<sup>th</sup> St. W.  
Wichita, KS 67223

Mr. R. L. McFall  
108 S. Westlink  
Wichita, KS 67209

Mr. Walter Seiler  
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Colwich, KS 67030



**DEPARTMENT OF ARMY**  
CORPS OF ENGINEERS, TULSA DISTRICT  
1645 SOUTH 101<sup>ST</sup> EAST AVENUE  
TULSA, OKLAHOMA 74128-4609

February 15, 2001

Planning, Environmental, and Regulatory Division  
Environmental Analysis and Compliance Branch

Mr. William H. Gill  
State Supervisor  
U.S. Fish and Wildlife Service  
315 Houston, Suite E  
Manhattan, KS 66502

Dear Mr. Gill:

The Tulsa District, U.S. Army Corps of Engineers is preparing an Environmental Assessment addressing the Cowskin Creek local flood protection project in Wichita, Kansas. The proposed project consists of channelization along 2 portions of Cowskin Creek from Kellogg to Maple and Maize to Central and the construction of a flood detention pond in Sec 14, T27S, R2W within the North Fork of the Calfskin Creek basin at a location downstream of the Dry Creek diversion. The project may require removal of vegetation along Cowskin Creek and excavation and construction of an earthen embankment for the detention pond.

In accordance with Section 7 of the Endangered Species Act of 1973, as amended, the Tulsa District is requesting an official updated list of Federally endangered or threatened species of concern for the above-mentioned location in Kansas.

Sincerely,

A handwritten signature in dark ink, appearing to read "David L. Combs", is written over the word "Sincerely,".

David L. Combs  
Chief, Environmental Analysis and  
Compliance Branch



**DEPARTMENT OF ARMY**  
CORPS OF ENGINEERS, TULSA DISTRICT  
1645 SOUTH 101<sup>ST</sup> EAST AVENUE  
TULSA, OKLAHOMA 74128-4609

February 15, 2001

Planning, Environmental, and Regulatory Division  
Environmental Analysis and Compliance Branch

Mr. Chris Mammolitti  
Kansas Department of Wildlife and Parks  
Environmental Services Section  
512 SE 25<sup>th</sup> Avenue  
Pratt, KS 67124

Dear Mr. Mammolitti:

The Tulsa District, U.S. Army Corps of Engineers is preparing an Environmental Assessment addressing the Cowskin Creek local flood protection project in Wichita, Kansas. The proposed project consists of channelization along 2 portions of Cowskin Creek from Kellogg to Maple and Maize to Central and the construction of a flood detention pond in Sec 14, T27S, R2W within the North Fork of the Calfskin Creek basin at a location downstream of the Dry Creek diversion. The project may require removal of vegetation along Cowskin Creek and excavation and construction of an earthen embankment for the detention pond.

The Tulsa District is requesting an official updated list of endangered or threatened species of concern for the above-mentioned location in Kansas.

Sincerely,

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David L. Combs  
Chief, Environmental Analysis and  
Compliance Branch





# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

Kansas Field Office

315 Houston Street, Suite E  
Manhattan, Kansas 66502-6172

March 13, 2001

David L. Combs  
Environmental Analysis and Compliance  
Tulsa District, Corps of Engineers  
1645 South 101<sup>st</sup> East Avenue  
Tulsa, Oklahoma 74128-4609

Dear Mr. Combs:

This is in response to your letter of February 15, 2001, describing an environmental assessment for the proposed Cowskin Creek local flood protection project in Wichita, Sedgwick County, Kansas. You requested an official updated list of federally-listed threatened and endangered species in this area. Based on our review of the proposed action area, we have no records of occurrence of any listed or proposed species.

Thank you for this opportunity to comment on the proposal. If you have additional comments or questions, please direct them to me or Dan Mulhern of this office.

Sincerely,

William H. Gill  
Field Supervisor

cc: KDWP, Pratt, KS (Environmental Services)

WHG/dwm



STATE OF KANSAS  
DEPARTMENT OF WILDLIFE & PARKS

Operations Office  
512 SE 25th Ave.  
Pratt, KS 67124-8174  
Phone: (620) 672-5911 FAX: (620) 672-6020



March 19, 2001

Mr. David L. Combes, Chief  
COE, Environmental Analysis and Compliance Branch  
1645 South 101<sup>st</sup> East Avenue  
Tulsa, OK 74128-4609

Ref: D1.0500  
Sedgwick  
Track: 20010093

RE: T&E List for Cowskin Cr. flood protection project

Dear Mr. Combes:

This will acknowledge receipt on February 22, 2001 of your request for an updated list of endangered or threatened species of concern for the Cowskin Creek local flood protection project in Wichita, KS. The proposed project consists of channelization along two portions of Cowskin Creek from Kellogg to Maple and Maize to Central and construction of a flood detention pond in SEC 14, T27S, R2W, within the North Fork of the Calfskin Creek basin at a location downstream of the Dry Creek diversion. Vegetation removal along Cowskin Creek might be required including the excavation and construction of an earthen embankment for the detention pond.

Enclosed are a list of threatened and endangered species known or likely to occur in and lists of species in need of conservation known to currently occur in Sedgwick Co., KS. We note that the state-listed threatened eastern spotted skunk (*Spilogale putorius interrupta*) is known to currently occur in Sedgwick Co., and critical habitat has been designated as all suitable habitats within the Cowskin Creek and Big Slough drainage basins located in Sedgwick Co. The skunk could be affected by activities in the proposed project including riparian vegetation removal. Cowskin Creek is tributary to the Arkansas River which has been designated as critical habitat for the state-listed threatened Arkansas darter (*Etheostoma cragini*) and endangered Arkansas River shiner (*Notropis girardi*).

If you have any questions or comments, please contact me. Thank you for the opportunity to provide these comments.

Sincerely,

Chris D. Hase, Aquatic Ecologist  
Environmental Services Section

Enclosures

xc: KDWP Reg. 4 Sup., Swan



**DEPARTMENT OF ARMY**  
CORPS OF ENGINEERS, TULSA DISTRICT  
1645 SOUTH 101<sup>ST</sup> EAST AVENUE  
TULSA, OKLAHOMA 74128-4609

October 3, 2002

Planning, Environmental, and Regulatory Division

William H. Gill, State Supervisor  
U. S. Fish and Wildlife Service  
315 Houston, Suite E  
Manhattan, KS 66502

Attention: Mr. Dewey Caster

Dear Mr. Gill:

Enclosed is a copy of the Preliminary Design Report for channel modifications between Kellogg and Maple Street for the Cowskin Creek Section 205 Project, Wichita, Kansas. The report describes the recommended channel alternative for the project which will be the recommended alternative in the Environmental Assessment. The proposed project consists of channelization along one bank of Cowskin Creek from Kellogg upstream to Maple. The project would require removal of vegetation and excavation along the east bank of Cowskin Creek as described in the enclosed report. This information is being furnished to assist you in preparing the Fish and Wildlife Coordination Act Report for this project. This information also is being provided to Mr. Chris Mammolitti, Kansas Department of Wildlife and Parks, Pratt, Kansas.

If you have any questions or require additional information please contact Mr. Jerry Sturdy at 918-669-4397.

Sincerely,

A handwritten signature in cursive script that reads "Louis E. Vogels, Jr.".

*for* Larry D. Hogue, P.E.  
Chief, Planning, Environmental,  
and Regulatory Division

Enclosure



DEPARTMENT OF ARMY  
CORPS OF ENGINEERS, TULSA DISTRICT  
1645 SOUTH 101<sup>ST</sup> EAST AVENUE  
TULSA, OKLAHOMA 74128-4609

October 3, 2002

Planning, Environmental, and Regulatory Division

Chris Mammolitti  
Kansas Department of Wildlife and Parks  
Environmental Services Section  
512 SE 25<sup>th</sup> Ave.  
Pratt, KS 67124



Dear Mr. Mammolitti:

Enclosed is a copy of the Preliminary Design Report for channel modifications between Kellogg and Maple Street for the Cowskin Creek Section 205 Project, Wichita, Kansas. The report describes the recommended channel alternative for the project which will be the recommended alternative in the Environmental Assessment. The proposed project consists of channelization along one bank of Cowskin Creek from Kellogg upstream to Maple. The project would require removal of vegetation and excavation along the east bank of Cowskin Creek as described in the enclosed report. This report is being furnished to assist you in addressing your concerns regarding species of special interest that might be affected by the project. This information also is being provided to Mr. Dewey Caster, U. S. Fish and Wildlife Service, Manhattan, Kansas to assist him in preparing the Fish and Wildlife Coordination Act report for this office.

If you have any questions or require additional information please contact Mr. Jerry Sturdy at 918-669-4397.

Sincerely,

for Larry D. Hogue, P.E.  
Chief, Planning, Environmental,  
and Regulatory Division

Enclosure





STATE OF KANSAS  
**DEPARTMENT OF WILDLIFE & PARKS**

Operations Office  
512 SE 25th Ave.  
Pratt, KS 67124-8174  
Phone: (620) 672-5911 FAX: (620) 672-6020



31 October 2002

Mr. Larry D. Hogue, Chief  
COE, Planning, Environmental, and Regulatory Division  
1645 South 101<sup>st</sup> East Avenue  
Tulsa, OK 74128-4609

Ref: D1.0500  
Sedgwick  
Track: 20010093

RE: Preliminary Design Report for Cowskin Creek Flood Project

Dear Mr. Hogue:

This will acknowledge receipt on 7 October 2002 of the Preliminary Design Report for the Cowskin Creek flood project. The proposed project includes channelization along Cowskin Creek from Kellogg to Maple and berm modifications on the berm labeled as Alternative 1 in the attachment. The project is in the W  $\frac{1}{2}$  of Section 29 and the SW  $\frac{1}{4}$  of Section 20, T27S, R1W, Sedgwick County, Kansas. The project purpose is to reduce the risk of flood damage to structures along Cowskin and Calfskin creeks.

As the project is currently proposed, we consider it an impact level 2, meaning the project could cause significant negative effects to terrestrial or aquatic wildlife or their habitats. As you know, the project is in an area designated as critical habitats for the state-threatened eastern spotted skunk. In Sedgwick County, the skunk relies heavily on riparian vegetation for its habitats. The project includes removing riparian vegetation. Critical habitats are protected in Kansas Statute Annotated 32-963 and Kansas Administrative Regulation 115-15-3 under the Kansas Nongame and Endangered Species Conservation Act (K.S.A. 32-957 to 963, 32-1009 to 1012, and 32-1033). These statutes and regulations require special Department action permits for projects affecting critical habitats for state-listed threatened or endangered species.

The report includes potential mitigation for unavoidable loss or disturbance of these habitats. We note that the Corps' previous threatened and endangered species information request included plans for a detention structure in Section 14. We would like to know whether a detention structure or similar structure has been considered on the crop land in the east half of Section 29 where the currently proposed project will be. More specifically, we would like to know whether a detention structure could be constructed in the aforementioned area or similar area. This type of situation would require little if any riparian habitat removal or disturbance. This would allow more riparian habitats to be left in place, thus preserving habitats for the skunk and many other species of wildlife that rely on these types of habitats in Kansas.

Our first approach to project reviews is to consider all possible alternatives that avoid or reduce negative effects to natural resources. Being unfamiliar with the Preliminary Watershed Master Plan for the Cowskin Creek watershed, we are concerned that this project approach would work

to help reduce flooding in these local areas, but might increase flood levels downstream. Mitigation can help replace these lost habitat values, but will set riparian habitats within the current project area back in terms of the current stage of natural succession and could set other areas back if problems are merely transferred downstream and addressed in piecemeal fashion. Thus, we encourage the Corps to ensure that all possible alternatives are considered during this early phase when project plans can more easily be revised. Alternatives to consider include detention structures and wetlands that could hold or absorb waters during these higher flows and release them slowly in a way that meets the same goals set forth in the current project proposal without or with reduced channelization of Cowskin Creek.

This project as it is currently designed will require a Department of Wildlife and Parks Action Permit. We will need to conduct habitat assessments to assign habitat values to calculate habitat units for any mitigation requirements. If you have any questions or comments, please contact me. Thank you for the opportunity to provide these comments.

Sincerely,

A handwritten signature in black ink that reads "Chris Hase". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Chris Hase, Aquatic Ecologist  
Environmental Services Section

xc: KDWP Reg. 4 F&W Sup., Swan  
USFWS, Gill

## AFFIDAVIT

STATE OF KANSAS     \  
                                     - SS.  
County of Sedgwick     /

Milt Mounts, of lawful age, being first duly sworn, deposeth and saith: That he is Record Clerk of The Wichita Eagle, a daily newspaper published in the City of Wichita, County of Sedgwick, State of Kansas, and having a general paid circulation on a daily basis in said County, which said newspaper has been continuously and uninterruptedly published in said County for more than one year prior to the first publication of the notice hereinafter mentioned, and which said newspaper has been entered as second class mail matter at the United States Post Office in Wichita, Kansas, and which said newspaper is not a trade, religious or fraternal publication and that a notice of a true copy is hereto attached was published in the regular and entire Morning issue of said The Wichita Eagle for

  2   consecutive issues - weeks, that the first publication of said notice was

made as aforesaid on the   23rd   day, of

  May   A.D.   2002  , with

subsequent publications being made on the following dates:

  May 30, 2002  

And affiant further says that        he has personal knowledge of the statements above set forth and that they are true.



Subscribed and sworn to before me this

  22nd   Day of   May  ,   2002  

Norma J. Hoch  
Notary Public Sedgwick County, Kansas

**NORMA J. HOCH**  
NOTARY PUBLIC  
STATE OF KANSAS

My Appt. Exp.   8-12-02  

My Appointment Expires August 12th, 2002

Printer's Fee   \$336.00  

Published in The Wichita Eagle  
May 23 & 30, 2002 (#1628411)

**Announcing**

**PUBLIC MEETING**  
as related to the  
**Wichita, Kansas, Cowskin Creek Feasibility Study**  
in compliance with

**Section 205 of the 1948 Flood Control Act**

The U.S. Army Corps of Engineers and City of Wichita will co-host a public meeting to inform the public about the Corps' Cowskin Creek flood control feasibility study and to solicit comments and questions. The meeting will consist of presentations by the City on the overall progress of flood protection measures in the Cowskin Creek Basin, and by the Corps of Engineers on the Section 205 project. The meeting will begin at 7:00 p.m., and will be held at the following location:

**Wichita, Kansas, Public Meeting**  
Sedgwick County Extension Education Center  
4-H Hall  
7001 West 21st Street North  
Wichita, KS  
Wednesday, June 5, 2002  
Time: 7:00 p.m.

The Corps of Engineers Feasibility study investigates the flood problems of the Cowskin Creek Basin area, evaluates a variety of alternatives developed by the City to reduce future flooding, identifies other concerns or needs of the project area, and formulates a recommended plan of action or non-action per the Continuing Authorities Program, Section 205 guidelines. The Corps evaluation includes consideration of environmental impacts that may occur as a result of each alternative. The environmental impact evaluation is done in compliance with the National Environmental Policy Act (NEPA). The first step in the NEPA process is the scoping activity involving input from the public about potential alternatives and related impacts. As part of the scoping activity, the Corps requests that the public, interested parties, and Federal, State, and local agencies identify environmental issues related to the project alternatives. Comments and questions can be forwarded to:

Mr. Stephen L. Nolen  
ATTN: CESWT-PE-E  
U.S. Army Corps of Engineers, Tulsa District  
1645 S. 101st East Avenue  
Tulsa, OK 74128-4629  
Phone: 918-669-7660     e-mail: Stephen.L.Nolen@usace.army.mil